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Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Egypt: revised draft resolution

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council,[1]

Also taking note of the report of the Secretary-General on the results of the ad hoc expert group meeting convened in accordance with General Assembly resolution 52/162 of 15 December 1997,[2]

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

[1] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 47* (A/52/47).
[2] See A/53/312, chap. IV.

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Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Recalling further that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Taking note of the report of the Secretary-General containing the comments and observations of the International Court of Justice and States on the consequences that the increase in the volume of cases before the Court has on its operation,[3]

Considering the desirability of finding practical ways and means of strengthening the Court,

Taking note of the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*,[4]

Recalling its resolution 52/162 of 15 December 1997,

Having considered the report of the Special Committee on the work of its session held in 1998,[5]

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[5]

2. *Welcomes* the report of the Secretary-General on the results of the ad hoc expert group meeting convened in accordance with General Assembly resolution 52/162;[6]

3. *Decides* that the Special Committee will hold its next session [from ... to ... 1999 (two weeks)];

4. *Requests* the Special Committee, at its session in 1999, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(a) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 1999, including the revised proposal on the strengthening of the role of the United Nations in the maintenance of international peace and security,[7] the revised working paper on the strengthening of the role of the Organization and enhancing its effectiveness,[8] the revised working paper entitled "Basic conditions and criteria for the introduction of sanctions and other coercive measures and their implementation"[9] and the working paper on the draft declaration on the basic principles and criteria for the work of the United Nations peacekeeping missions and mechanisms for the prevention and settlement of crises and conflicts;[10]

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[3] A/53/326 and Corr.1.

[4] A/53/386.

[5] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 33* (A/53/33).

[6] A/53/312.

[7] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 33* (A/51/33), para. 56.

[8] Ibid., *Fifty-second Session, Supplement No. 33* and corrigendum (A/52/33 and Corr.1), para. 59.

[9] Ibid., *Fifty-third Session, Supplement No. 33* (A/53/33), para. 45.

[10] Ibid., *Fifty-first Session, Supplement No. 33* (A/51/33), para. 128.

(b) To continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration the reports of the Secretary-General,[11] the proposals submitted on this subject, the debate on this question in the Sixth Committee at the fifty-third session of the General Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to General Assembly resolution 51/242, and also the implementation of the provisions of General Assembly resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997 and 53/... of .. December 1998;

(c) To continue its work on the question of the peaceful settlement of disputes between States and, in this context, to continue its consideration of proposals relating to the peaceful settlement of disputes between States, including the proposal on the establishment of a dispute settlement service offering or responding with its services early in disputes and those proposals relating to the enhancement of the role of the International Court of Justice;

(d) To continue to consider proposals concerning the Trusteeship Council in the light of the report of the Secretary-General submitted in accordance with resolution 50/55 of 11 December 1995,[12] the report of the Secretary-General entitled "Renewing the United Nations: a programme for reform"[13] and the views expressed by States on this subject at the previous sessions of the General Assembly;

(e) To continue to consider, taking into account the comments presented by the International Court of Justice and States pursuant to resolution 52/161 of 15 December 1997, practical ways and means of strengthening the Court, while respecting its authority and independence, on the understanding that whatever action may be taken as a result of the consideration will have no implications for any changes in the Charter of the United Nations or in the Statute of the International Court of Justice;

5. *Takes note* of subparagraphs (a), (b), (c), (d) and (f) of paragraph 32 of the report of the Secretary-General,[4] and requests him to continue to undertake efforts to identify resources to prepare Supplements to the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* and, in particular, to complete the work required to issue the two remaining volumes of Supplement No. 5 to the *Repertory of Practice of United Nations Organs* and to submit a progress report on the matter to the General Assembly at its fifty-fourth session;

6. *Invites* the Special Committee at its session in 1999 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations, to discuss how to offer its assistance to the working groups of the General Assembly in this field and, in this regard, to consider ways and means of improving coordination between the Special Committee and other working groups dealing with the reform of the Organization, including the role of the Chairperson of the Special Committee for this purpose, and to continue considering ways and means of improving its working methods;

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[11] A/48/573-S/26705 (see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*), A/49/356, A/50/60-S/1995/1 (see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*), A/50/423, A/50/361, A/51/317 and A/52/308.

[12] A/50/1011.

[13] A/51/950 and Add.1–7.

7. *Requests* the Special Committee to submit a report on its work to the General Assembly at the fifty-fourth session;

8. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".